

## ORDINANCE #07-10

### **AN ORDINANCE TO AMEND THE ZONING ORDINANCE #04-09, OF THE TOWN OF NOLENSVILLE, TENNESSEE**

WHEREAS, the Town of Nolensville enacted Zoning Ordinance 04-09 in 2004. Prior to the enactment of 04-09, the Town enacted Ordinance #98-22 in 1998 which amended the initial zoning ordinance of the Town of Nolensville. Subsequent amendments have been enacted prior to the enactment of Ordinance 04-09; and

WHEREAS, The Town of Nolensville Planning Commission met on May 8, 2007, and discussed the policy of how the Town of Nolensville should revise the area covered by the Historic District Overlay on the Village District in the zoning ordinance,

WHEREAS, The Town of Nolensville Planning Commission discussed how the boundaries of the Historic District Overlay would be more appropriate if the southernmost boundary was reduced in size to coincide with the New Clovercroft Road and New Rocky Fork Road realignment and to include the Nolensville Cemetery,

WHEREAS, the Town of Nolensville Planning Commission has recommended certain the amendments of the zoning text and zoning map to the Nolensville Board of Mayor and Aldermen,

WHEREAS, the Board of Mayor and Aldermen has conducted a public hearing on June 28, 2007, thereon; and

WHEREAS, The Board of Mayor and Aldermen believe it is in the best interest of the citizens and residents of the Town to revise the Ordinance 04-09 as it relates to the area of coverage of the Historic District Overlay in the Village District of the zoning ordinance,

NOW, THEREFORE BE IT ORDAINED BY THE BOARD AND MAYOR AND ALDERMAN, that Zoning Ordinance 04-09 of the Town of Nolensville is amended by revising said ordinance as follows:

#### Section 1:

**The portion of Article 2.2.9 Historic District Overlay (HD) that reads as follows:**

**Design Standards** Design standards based upon the Secretary of the Interiors Standards for Rehabilitation shall regulate all construction and development activity within a Historic District Overlay, and standards contained within shall take precedence over the bulk standards of the base zoning district.

This mandatory overlay district recognizes the importance of historic structures and sites to the Town of Nolensville and its citizens within the Village (V) zone. The overlay district preserves and protects those historical resources while regulating demolition, the exterior design of building alterations and new construction. As an overlay district, it affects design rather than land uses, which are controlled by the underlying base zoning. This overlay district is mandatory and not optional and its standards supersede those of the underlying zoning district.

The Historic District Overlay may also be applied to other zoning districts within the Town with a recommendation from the Historic Zoning Commission.

**Shall be amended to read as follows:**

**Design Standards** Design standards based upon the Secretary of the Interiors Standards for Rehabilitation shall regulate all construction and development activity within a Historic District Overlay, and standards contained within shall take precedence over the bulk standards of the base zoning district.

This mandatory overlay district recognizes the importance of historic structures and sites to the Town of Nolensville and its citizens and shall be designated as that portion of the Village (V) zone that contains the oldest part of Nolensville which lies between the New Clovercroft Road and New Rocky Fork Road right-of-way on the south to the Mill Creek Bridge area on the north end of the Village (V) zone. The overlay district preserves and protects those historical resources while regulating demolition, the exterior design of building alterations and new construction. As an overlay district, it affects design rather than land uses, which are controlled by the underlying base zoning. This overlay district is mandatory and not optional and its standards supersede those of the underlying zoning district.

The Historic District Overlay may also be applied to other zoning districts within the Town with a recommendation from the Historic Zoning Commission.

**Section 2:**

**The Zoning Map shall be amended as follows (see attached map):**

The Zoning Map shall be revised to remove the Historic District Overlay from the Village District to reflect the revision of the application of the Historic District (HD) Overlay to the Village District zone as indicated above under the revised article 2.2.9 Design Standards section.

**Section 3:**

**Article 1.10.2 that reads as follows:**

**1.10.2 Membership** The Historic Zoning Commission shall consist of no less than five (5) and no more than nine (9) members; all of which shall be members of the Historic Planning Commission when appointed, except that one or more members may be selected by the Mayor from the community in general in order to comply with the provisions of T.C.A. 13-7-403. All members shall be appointed by the Mayor and approved by the Mayor and Board of Aldermen. The terms of members of the Historic Zoning Commission shall be five (5) years except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. Vacancies shall be filled for any unexpected terms by the Mayor and confirmed by the Board of Mayor and Aldermen. All members of the Historic Zoning Commission shall serve without compensation.

**Shall be revised to read as follows:**

**1.10.2 Membership** The Historic Zoning Commission shall consist of no less than five (5) and no more than nine (9) members. All members shall be appointed by the Mayor and approved by the Mayor and Board of Aldermen. The terms of members of the Historic Zoning Commission shall be five (5) years except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. Vacancies shall be filled for any unexpected terms by the Mayor and confirmed by the Board of Mayor and Aldermen. All members of the Historic Zoning Commission shall serve without compensation.

**Section 4:**

All references to design standards Section 2.2.10 in Article 1.10.5 A., B., C. and D. Powers and Duties shall be amended to refer to Section 2.2.9.

**Section 5:**

The Mayor and Board of Aldermen of the Town of Nolensville, Tennessee, hereby certify that these amendments have been submitted by the Planning Commission of the Town of Nolensville, and a notice of hearing thereof has been ordered of the time and place of said meeting and has been published in a newspaper circulated in the Town of Nolensville, Tennessee. This Ordinance shall take effect immediately from the date of its final passage, the public welfare demanding it.

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Beth Lothers, Mayor

Attest: \_\_\_\_\_

Town Recorder

Approved by: \_\_\_\_\_  
Town Attorney

Passed 1<sup>st</sup> Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Passed 2<sup>nd</sup> Reading: \_\_\_\_\_